

Virginia Indians balk at Jamestown Anniversary without Recognition

By Allen Breed, Associated Press

JAMESTOWN, Va. - Jamestown leader Capt. John Smith once wrote that Pocahontas, daughter of the great chief Powhatan, was "the instrument to pursue this colony from death, famine, and utter confusion."

But as Virginia prepares to commemorate the 400th anniversary of North America's first permanent English settlement, Pocahontas' cultural heirs are still waiting for the descendants of the people she helped to reciprocate.

Tribal leaders are threatening to turn their participation in the coming Jamestown anniversary events into a protest if they don't get federal recognition by 2007. But the main sticking point to that recognition is casino gambling - something those tribes insist they don't even want.

"We're not asking for something that is not ours," says Stephen Adkins, chief of the Chickahominy tribe. "We're trying to reclaim that sovereignty that we believe God gave us. And why should man be allowed to take that away from us?"

The latest push for recognition coincides with the release of the movie, *The New World*, a retelling of the oft-told story of Smith and Pocahontas. Adkins recently attended the Los Angeles premiere, and although the film starring Colin Farrell takes many historical liberties, the chief was happy to take to the red carpet to show the world that Virginia's Indians are not extinct.

They seem nearly so at the Jamestown Settlement today.

Two blond, buckskin-clad men acted as interpreters at a re-created 17th-century Powhatan village on a recent frigid morning, showing visitors how to tan deer skins and build a traditional yehakin dwelling.

Nearby, wearing jeans and a baseball cap, one of the few actual tribal members employed there used a cordless drill to assemble the hut's frame.

Between 3,000 and 5,000 people belong to the eight state-recognized tribes that have applied for federal recognition through the Interior Department's Bureau of Indian Affairs. But that is a tortuous 20-plus-year process that requires tribes to submit voluminous historical and genealogical evidence to back claims of legitimacy.

Arguing that those records have been obscured and confused by systematic discrimination in Virginia, the Chickahominy, Upper Mattaponi, Eastern Chickahominy, Monacan, Nansemond and Rappahannock are seeking an expedited route to recognition - through an act of Congress. (The Mattaponi and Pamunkey tribes, the only Virginia Indians with their own reservations, are not part of the congressional efforts.)

The tribes cite Virginia's 1924 Racial Integrity Act, which made it illegal for whites and nonwhites to marry. After pushing for passage of the law, Dr. Walter Plecker, registrar of the state's Bureau of Vital Statistics, launched an aggressive campaign to prevent the "mongrelization" of the white "master race" by what he called "pseudo-Indians."

"Like rats when you are not watching, they have been 'sneaking' in their birth certificates through their own midwives, giving either Indian or white racial classification," Plecker once wrote. Their goal, he argued, was "escaping negro status" in order to attend white schools and marry whites.

Plecker ordered that the Indians be classified as "colored" on birth and marriage certificates, and he threatened doctors and midwives with jail for noncompliance. The result, say the tribes, was a "paper genocide."

Kenneth Branham, chief of the Monacans of the western Virginia mountains, says his parents were wed in Maryland because they couldn't be married as Indians at home. The 52-year-old Branham was one of the first Monacan to graduate from public schools in rural Amherst County because Indians weren't allowed to attend schools with whites until 1963.

"Nineteen-sixty-three," he says in disgust. "That's not ancient history, is it?"

A few miles outside Richmond, Kenneth Adams sits in the two-room, red-brick Indian school he attended until his senior year of high school. The chief of the Upper Mattaponi tribe says federal recognition means so much more to him than slot machines, roulette wheels or blackjack.

It would mean scholarship money for the tribe's young, housing assistance for its elderly and the right to possess eagle feathers for use in sacred ceremonies - benefits enjoyed by the 562 tribes acknowledged by the Department of the Interior.

"Right now, we're on a separate rung of the ladder," says Adams. "It puts us in a different class of Indian."

Virginia's two U.S. senators have been pushing recognition bills since 2000. The state's General Assembly has recognized the tribes on the state level since the 1980s and has overwhelmingly passed a resolution backing federal recognition.

But the effort has stalled, due largely to the efforts of one man.

Republican U.S. Rep. Frank R. Wolf of Virginia, a member of the House Appropriations Committee, says the tribes could have achieved recognition three years ago had they agreed to legislation containing an "ironclad" promise never to seek gambling.

Supporters of the Virginia Indians' bill say it would safeguard against gambling in the state. But that's only "technically correct," says Bob Anderson, a former associate solicitor for Indian affairs at Interior.

The 1988 Indian Gaming Regulatory Act gave existing tribes the right to gamble on their reservations. The law included exceptions for the newly created reservations of tribes recognized after 1988 and for tribes that subsequently had lands restored to them.

Under the proposed bill, the Virginia tribes would renounce their automatic right to gambling on future reservations. But Anderson says the bill would allow the tribes to have lands they have purchased put into trust with Interior, then petition the secretary for permission to establish gambling.

If the secretary determines that gambling is in the tribe's best interests and would not be detrimental to the local community, Anderson says, it would then be up to the governor, not state lawmakers, to say "yea" or "nay."

Derril Jordan, a Washington attorney and Mattaponi Indian, agrees that gambling would be possible under the bill but says "it's certainly not like the door is wide open." In the 17 years since the gaming act was passed, only three tribes have received permission to set up gambling through that process.

Adkins says the gambling issue is really just a "smokescreen" and that the bill's language "should satisfy the most stringent opponents of gambling" that the predominantly Southern Baptist-affiliated tribes don't want casinos.

When English dignitaries travel to Jamestown for the festivities in 2007, Adams hopes to greet them as his forebears did 400 years earlier - as the leader of a sovereign people. He can't help thinking how different things might be if Powhatan had decided not to help the English settlers.

"Sometimes I look at Powhatan and wonder, 'Why didn't you kill them off?'" he says. "He had a lot more faith in the future than Frank Wolf does."